



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS

dress: COMMISSIONER FOR PATENTS	
P.O. Box 1450	
Alexandria, Virginia 22313-1450	
usuny mento gov	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/750,366	12/27/2000	Jonathan S. Goldick	MS 154771.1/40062.95-US-0	· -	
23552	7590 03/26/2004		EXAM	EXAMINER	
MERCHANT & GOULD PC			NGUYEN	NGUYEN, CINDY	
P.O. BOX 290 MINNEAPOI	03 LIS, MN 55402-0903		ART UNIT	PAPER NUMBER	
			2171	15	
			DATE MAILED: 03/26/200	4	

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Application No. Application No. GOLDICK, JONATHAN S.						
Examiner Cindy Nguyen 2171 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Exercisions of time may be available under the provisional of 37 CFR 1.130(a). In no event, however, may a reply be timely filed - If the period for reply specified solver, the maximum standary period will epily with the standary minimum of fitting (30) days will be considered timely If the Operiod for reply as pecified solver, the maximum standary period will epily with will expire SX (0) MONTH's from the making data of this communication for reply specified solver, the maximum standary period will epily and will expire SX (0) MONTH's from the making data of this communication for reply specified solver, the maximum standary period will epily and will expire SX (0) MONTH's from the making data of this communication for reply specified solver. It is not the maximum standary period will epily and will expire SX (0) MONTH's from the making data of this communication Any reply received by the Official time them them benotic after the maximum standary period will expire a symmetry and the communication Any reply received by the Official international standary period will expire SX (0) MONTH's from the making data of this communication Any reply received by the Official from them them them them them them them the	•	Application No.	Applicant(s)			
Cindy Nguyen - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than thirty (30) days, a reply within the statutory entirely and grain with the specified or reply specified above is less than thirty (30) days, a reply within the statutory entirely and grain with expect of the reply specified above is less than thirty (30) days, a reply within the statutory entirely and grain with expect of the property of the period for reply specified above is less than thirty (30) days, a reply within the statutory entirely and grain with expect and property and with expects (30) MONTHS from the malling date of this communication. If the period for reply specified above is less than thirty (30) days, as reply with the statutory entirely single and with expect size of the communication. If the period for reply specified above is less than thirty (30) days, as reply be timely filed, may reduce any earned period the analization. Any reply received by the Office later than there months after the making date of this communication, even if timely filed, may reduce any earned period the analysis of the statutory of the		09/750,366	GOLDICK, JONATHAN S.			
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of term may be available under the provisions of 3 CFR 1.136(a), in no event, however, may a reply be timely filed the provisions of 3 CFR 1.136(a), in no event, however, may a reply be timely filed the period for reply specified above is less than thinty (30) says, as reply with the saturation making of the off the communication. Period is provided the provision of the period for reply specified above is less than thinty (30) says, as reply with the statutory period will applied with significant or become ARANGONEO (30 U.S.C. § 133). Filed period for reply specified above is less than thinty (30) says, as reply with the statutory period will applied with significant to become ARANGONEO (30 U.S.C. § 133). Filed period for reply specified above is less than thinty (30) says will be considered timely. Filed period for reply specified above, the maining sade of this communication, event it immy flext, may reduce a reply seal than the provision of the communication of the communication of the communication. Filed period for satisfaction is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex partie Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)	Office Action Summary	Examiner	Art Unit			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be similate under the prevalence of 3° CR 1.35(a). In no event, however, may a reply be timely fixed - Extensions of time may be similate under the prevalence of 3° CR 1.35(a). In no event, however, may a reply be timely fixed - If No period for reply is appelled above, the maximum distultury period will apply and will expire SIX (b) MONTHS from the mailing date of this communication for reply period by the Diste of the second by the Otto Replace of the south of the second by the Otto Replace of the south of the second by the Otto Replace of the south of the second by the Otto Replace of the south of the second by the Otto Replace of the second by the Otto Replace of the Status 1) Second Replace of the Status of the Sta						
THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13(d), in no event, however, may a reply be timely filed after 50x (6) MONTHS from the mailing date of this communication. It is a provision of the provision of the communication of the communication of the communication of the provision of the priority documents have been received in this National Stage application from the office action for a list of the certified copies of the priority documents have been received.		pears on the cover sheet with the	correspondence address			
2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3 ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1.2.5.7-14 and 16-21 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1, 2, 5. 7-14 and 16-21 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 27 December 2000 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) ☐ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the oertified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s)	 THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply of the period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statute. Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). 	36(a). In no event, however, may a reply be to within the statutory minimum of thirty (30) do will apply and will expire SIX (6) MONTHS from the application to become ABANDON	timely filed ays will be considered timely. m the mailing date of this communication. JED (35 U.S.C. § 133).			
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.2.5.7-14 and 16-21 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 27 December 2000 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in happlication No 3. Copies of the certified opies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.	1) Responsive to communication(s) filed on 20 F	February 2004 .				
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)	2a)⊠ This action is FINAL . 2b)⊠ Th	is action is non-final.				
A) Claim(s) 1.2.5.7-14 and 16-21 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) ☒ The drawing(s) filed on 27 December 2000 is/are: a) ☒ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) □ The proposed drawing correction filed on is: a) □ approved b) □ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) □ The oath or dectaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1.□ Certified copies of the priority documents have been received. 2.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) □ The translation of the foreign language provisional application has been received. 15) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) □ The translation of the foreign language provisional application has been received. 15) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). Altachment(s) □ Interview Summary (PTO-413) Pa						
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) ☒ Claim(s) is/are allowed. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) ☒ The drawing(s) filed on 27 December 2000 is/are: a) ☒ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) □ The proposed drawing correction filed on is: a) □ approved b) □ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) □ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119(e) (to a provisional application). a) □ The translation of the foreign language provisional application has been received. 15) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 10 ☑ Notice of References Cited (PTO-892) 21 ☑ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) □ Notice of Informal Patent Application (PTO-152)	•	Ex parte Quayle, 1935 C.D. 11,	453 O.G. 213.			
5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are objected to. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 27 December 2000 is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) □ The proposed drawing correction filed on is: a) □ approved b) □ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) □ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) □ The translation of the foreign language provisional application has been received. 15) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) Notice of References Cited (PTO-892) Interview Summary (PTO-413) Paper No(s)	4) Claim(s) 1,2,5,7-14 and 16-21 is/are pending in the application.					
6) Claim(s) 1, 2, 5, 7-14 and 16-21 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 27 December 2000 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some *c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.	4a) Of the above claim(s) is/are withdrawn from consideration.					
7 Claim(s) is/are objected to. 8 Claim(s) are subject to restriction and/or election requirement. Application Papers 9 The specification is objected to by the Examiner. 10) The drawing(s) filed on 27 December 2000 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Informal Patent Application (PTO-152)	5) Claim(s) is/are allowed.					
8	6)⊠ Claim(s) <u>1, 2, 5, 7-14 and 16-21</u> is/are rejected.					
Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☒ The drawing(s) filed on 27 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) ☐ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) ☒ Notice of References Cited (PTO-892) 2) ☐ Notice of Informal Patent Application (PTO-152)	7) Claim(s) is/are objected to.					
9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 27 December 2000 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) ☐ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) ☑ Notice of References Cited (PTO-992) 2) ☐ Notice of References Cited (PTO-992) 5) ☐ Notice of Informal Patent Application (PTO-152)	•	r election requirement.				
10) ☐ The drawing(s) filed on 27 December 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) ☐ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 1) ☑ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)	··· _	_				
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s)			de by the Everines			
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1 Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)			•			
If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some colon None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). 5) Notice of Informal Patent Application (PTO-152)						
Priority under 35 U.S.C. §§ 119 and 120 13)						
Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some color None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)						
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1.						
a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	<u> </u>	n priority under 35 U.S.C. § 119	(a)-(d) or (f).			
2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)						
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)	,- <u> </u>					
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Attachment (PTO-413) Paper No(s). Notice of Informal Patent Application (PTO-152)						
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 10 Interview Summary (PTO-413) Paper No(s). 5) Notice of Informal Patent Application (PTO-152)	application from the International Bureau (PCT Rule 17.2(a)).					
a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s). 5) Notice of Informal Patent Application (PTO-152)	<u> </u>					
15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s). Notice of Informal Patent Application (PTO-152)						
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s) 5) Notice of Informal Patent Application (PTO-152)						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)	•	. ,				
	2) D Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informa				

Art Unit: 2171

DETAILED ACTION

This is in response to communication filed 02/20/04.

1. Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/20/04 has been entered.

2. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1, 2, 5, 7-14 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hodges et al. (U.S 6035423) (Hodges) in view of Nachenberg (U.S 6067410).

Regarding claim 1, Hodges discloses: a method of providing a file stored in a computer system with version-specific information relating to a virus scanning application that is independent from an application used to create the file the method comprising:

Receiving a request from the virus scanning application to create a version-specific attribute associated with the file (col. 6, lines 47-63, Hodges), wherein the version-specific attribute contains version-specific information relating to the virus scanning application (col. 7, lines 9-19, Hodges);

Art Unit: 2171

Maintaining the version-specific attribute to reflect relevant updates to the file by automatically invalidating the version-specific information in response to a predetermined event (col. 8, lines 52 to col. 9, lines 11, Hodges);

Receiving a request from the virus scanning application to evaluate the version specific attribute (col. 6, lines 47-63, Hodges); and

Providing the version specific information to the virus scanning application in response to the request to evaluate the version specific attribute (col. 8, lines 52 to col. 9, lines 11, Hodge).

However, Hodge didn't disclose: wherein the version-specific attribute comprises mask information providing information related to which predetermined events invalidate the version-specific information. On the other hand, Nachenberg discloses: wherein the version-specific attribute comprises mask information providing information related to which predetermined events invalidate the version-specific information (col. 9, lines 40-56, Nachenberg). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the step wherein the version-specific attribute comprises mask information providing information related to which predetermined events invalidate the version-specific information in the system of Hodges as taught by Nachenberg. The motivation being to enable the system comprises the emulation module to control decryption of these viruses that are encrypted (col. 2, lines 55 to col. 3, lines 11, Nachenberg).

Regarding claim 2, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Hodges/Nachenberg discloses: wherein version-specific information relates to a version of a virus definition file (col. 10, lines 33-53, Nachenberg). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include

Page 4

Art Unit: 2171

the step wherein version-specific information relates to a version of a virus definition file in the system of Hodges as taught by Nachenberg. The motivation being to enable the system comprises the virus definition file for each known virus to control decryption of these viruses that are encrypted (col. 2, lines 55 to col. 3, lines 11, Nachenberg).

Regarding claim 5, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Hodges/Nachenberg discloses: wherein the predetermined event is an update to file data (col. 8, lines 52 to col. 9, lines 11, Hodges).

Regarding claim 7, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Hodges/Nachenberg discloses: wherein the method further comprises: providing security information within the version-specific attribute (col. 9, lines 40-55, Nachenberg).

Regarding claim 8, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Hodges/Nachenberg discloses: wherein the invalidating act further comprises deleting the version-specific attribute (col. 10, lines 20-32, Nachenberg).

Regarding claim 10, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Hodges/Nachenberg discloses: a method of accessing a file stored in a computer system, said method comprising:

Receiving an access attempt relating to an access request (col. 9, lines 26-55 and col. 13, lines 21-39, Nachenberg);

Determining whether the access attempt relates to an invalidating access (col. 9, lines 26-55 and col. 13, lines 21-39, Nachenberg);

Art Unit: 2171

If the access attempt related to an invalidating access: invalidating the version-specific attribute and if the access attempt does not related to an invalidating access then performing the access operation related to the access request (col. 9, lines 26-55 and col. 13, lines 21-39, Nachenberg).

Regarding claims 9 and 12, all the limitations of these claims have been noted in the rejection of claims 1 and 10 above, respectively. In addition, Hodges/Nachenberg discloses: a computer and encoding instructions for executing the method recited in claims 1 and 10 (col. 13, lines 56-63, Nachenberg).

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claim 10 above. In addition, Hodges/Nachenberg discloses: wherein if the access attempt does not relate to an invalidating access, then said method further comprises: determining whether the access depends on the version specific attribute and if the access does not depend on the version specific attribute, then performing the access operation related to the access request and if the access depends on the version specific attribute determining whether the attribute is valid and performing a predetermined operation with the virus application based on whether the attribute is determined to be valid (col. 9, lines 26-55 and col. 13, lines 21-39, Nachenberg).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Hodges/Nachenberg discloses: a computer-readable medium having stored thereon a data structure, wherein the data structure comprises: an actual file data section contains actual file data (col. 8, lines 52 to col. 9, lines 11, Hodges); a header section (col. 8, lines 52 to col. 9, lines 11, Hodges); a version-specific attribute section, wherein the version-specific attributed section is created by virus scanning application that is independent from an application used to create the actual file data (col. 8,

Art Unit: 2171

lines 52 to col. 9, lines 11, Hodges), and wherein the version-specific attribute comprises a meta information section (col. 8, lines 33-67, Nachenberg).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 13 above. In addition, Hodges/Nachenberg discloses: wherein the meta information section stores the name of the attribute, and wherein the version-specific attribute further comprises: a version information section for storing information related to the version of a virus definition file used with the virus scanning application (col. 9, lines 26-40, Nachenberg).

Regarding claim 16, all the limitations of this claim have been noted in the rejection of claim 14 above. In addition, Hodges/Nachenberg discloses: wherein the predetermined event related to a modification of the data structure (col. 8, lines 52 to col. 9, lines 11, Hodges).

Regarding claim 17, all the limitations of this claim have been noted in the rejection of claims 1 and 11 above. In addition, Hodges/Nachenberg discloses: a computer program product readable by a computer and encoding instructions for executing a computer process for managing version-specific information for a file within a file system, said computer process comprising: storing version-specific information as an attributed to create a version-specific attribute for a file (col. 6, lines 47, col. 9, lines 11-31, Hodges).

Regarding claim 18, all the limitations of this claim have been noted in the rejection of claim 17 above. In addition, Hodges/Nachenberg discloses: wherein the computer comprises a file system and the acts of storing and invalidating are performed by the file system (col. 6, lines 47-63, Hodges).

Regarding claim 19, all the limitations of this claim have been noted in the rejection of claim 17 above. In addition, Hodges/Nachenberg discloses: wherein the version-specific information relates to a virus definition file used with the virus scanning application (col. 10, lines 33-53, Nachenberg).

Art Unit: 2171

Regarding claim 20, all the limitations of this claim have been noted in the rejection of claim 19

Page 7

above. In addition, Hodges/Nachenberg discloses: wherein the predetermined access attempted relates to

a modification of the file (col. 9, lines 26-56, Nachenberg).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 20

above. In addition, Hodges/Nachenberg discloses: wherein the version-specific attribute remains

following one of the following access attempts: copy, rename or backup (col. 13, lines 64 to col. 14,

liens 13, Nachenberg).

4. Contact Information

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can

normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet

Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this

application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306

for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the receptionist whose telephone number is 703-305-3900.

W

Cindy Nguyen March 21, 2004

___ WAYNE AMSBURY

1/22 5/

RIMARY PATENT EXAMINER